

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 16-CR-156

JESSE J. WOHLRABE,

Defendant.

ORDER DENYING MOTION FOR SENTENCE REDUCTION

On March 1, 2017, following his plea of guilty to the crime of Conspiracy to Distribute and Possess with Intent to Distribute Heroin, Defendant Jesse L. Wohlrabe was sentenced to 72 months in the custody of the Bureau of Prisons, followed by 5 years of supervised release. The prison sentence was ordered to be served concurrently to the state sentence he was then serving in Waupaca case number 11-CF-234. Wohlrabe had received a prison sentence of 54 months in that case following his revocation of probation on a burglary conviction. Wohlrabe's term of supervised release in this case began on August 19, 2022. In March of 2023 his supervision was revoked and he was sentenced to six months of imprisonment, to be followed by 4 years of supervised release. Then, on March 27, 2024, Wohlrabe's supervision was again revoked and he was sentenced to a year-and-a-day in prison. Currently before the Court is Wohlrabe's motion to reduce his sentence under the First Step Act. That motion is hereby denied.

Wohlrabe's argument seems to be that his classification in the Federal Prison during his original sentence prevented him from taking advantage of the Residential Drug Abuse Program at the Bureau of Prisons. He contends that there was insufficient time left on his sentence when he

was transferred from the state facility to the federal facility. Wohlrabe fails to explain, however, how the First Step Act would apply or affect his original sentence in any way. More importantly, his original sentence has been completed and he is now serving a sentence for the revocation, with no supervision to follow. The Court is at a loss to explain how, or under what circumstances, Wohlrabe's current sentence could be affected by any change in the sentencing law over the past several years. His motion is, therefore, denied.

SO ORDERED at Green Bay, Wisconsin this 10th day of June, 2024.

s/ William C. Griesbach

William C. Griesbach
United States District Judge